

PATENT
Serial No: 10/614,862
Docket No: 29284-595

REMARKS

Claims 1, 3-5, 7-27 and 54 are pending. By this amendment, claim 54 is amended.

The Office Action provisionally rejects claims 1, 3-5, 7-14 and 54 under the judicially created doctrine of obviousness-type double patenting over claims 1-14 and 54 of co-pending applications 10/614,859, 10/614,860, 10/614,861, 10/614,863 and 10/614,864. Although Applicant believes that this rejection is improper because the claims recites patentably distinct elements, Applicant hereby submits a Terminal Disclaimer to overcome the obviousness-type double patenting rejection. Accordingly, it is requested that the rejection be withdrawn.

Additionally, the Office Action indicates that the Information Disclosure Statement filed July 9, 2003 does not comply with 37 CFR 1.98(a)(2) because copies of the foreign references were not supplied. However, copies of the foreign references were not supplied since these references are of record in parent application 09/819,636 (now USP 6,745,261), from which this application claims priority. These facts were indicated on the July 9, 2003 IDS, and the Examiner is obligated to consider these references.

Applicant hereby submits a Request to Consider Previously Disclosed Information, along with the 1449s for consideration of the previously submitted references.

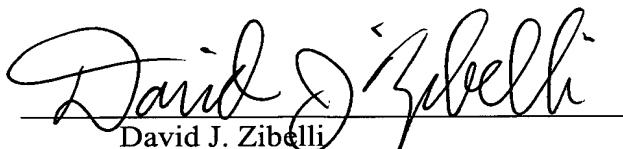
For the above reasons, it is submitted that the application is in condition for allowance. A Notice of Allowance in due course is solicited. The Office is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 11-0600.

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Should the Examiner have any questions concerning this matter, he is invited to contact Applicants' undersigned attorney at 202/220-4334.

Respectfully submitted,

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